



Order Filed on June 15, 2020  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with  
D.N.J.LBR 9004-1**

**STEWART LEGAL GROUP, P.L.**

*Formed in the State of Florida*

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*Attorney for Creditor*

In re:

Juana F. Henriquez-Upia

Debtor.

Chapter: 13

Case No.: 18-30997-RG

Hearing Date: April 15, 2020

Judge: Rosemary Gambardella

**CONSENT ORDER RESOLVING MOTION  
TO VACATE AUTOMATIC STAY AND CO-DEBTOR STAY**

The relief set forth on the following pages is hereby **ORDERED**.

**DATED: June 15, 2020**

A handwritten signature in cursive script that reads "Rosemary Gambardella". Below the signature is a horizontal line, and underneath the line, the text "Honorable Rosemary Gambardella" and "United States Bankruptcy Judge" is printed.  
Honorable Rosemary Gambardella  
United States Bankruptcy Judge

Debtor: Juana F. Henriquez-Upia  
Case No.: 18-30997-RG  
Caption of Order: **CONSENT ORDER RESOLVING MOTION TO VACATE  
AUTOMATIC AND CO-DEBTOR STAY**

THIS MATTER having been opened to the Court upon the Motion to Vacate the Automatic Stay and Co-Debtor Stay (“Motion”) filed by Toyota Motor Credit Corporation (“Creditor”), and whereas the Debtor and Creditor seek to resolve the Motion, it is hereby stipulated and agreed to that:

1. As of June 2, 2020, the post-petition arrearage was **\$1,075.42**.
2. The automatic stay provided under 11 U.S.C. §362(a) shall remain in effect as to Movant’s interest in the following property: **2014 Toyota Corolla; VIN: 2T1BURHE0EC159213** (“Property”) provided that the Debtor complies with the following:
  - a. The Debtor shall cure the post-petition arrearage amount of \$1,075.42 by making six (6) consecutive monthly payments of \$179.24 beginning with the June 10, 2020 payment and continuing thereon on or before the 10<sup>th</sup> day of each month until paid in full; and
  - b. In addition to the above payments, the Debtor shall resume making the ongoing regular monthly payment in the amount of \$483.19 as they become due beginning with the June 10, 2020 payment.
3. The Debtor will be in default under the Consent Order in the event that the Debtor fails to comply with the payment terms and conditions set forth in above Paragraph and/or if the Debtor fails to make any payment due to Creditor under the Chapter 13 Plan.
4. If the Debtor fails to cure the default within thirty (30) days from the date of default, Creditor may submit a Certificate of Default to the Court on fourteen (14) days’ notice to counsel for Debtor and the Chapter 13 Trustee for an order lifting the automatic stay imposed under 11

U.S.C. § 362(a) and permitting Creditor to exercise any rights under the loan documents with respect to the Property.

5. Creditor is awarded reimbursement of attorney fees and costs in the amount of \$250.00 and \$181.00, respectfully to be paid through the Chapter 13 Plan.

**STIPULATED AND AGREED:**

/s/ Russell L. Low  
Russell L. Low, Esq.  
Low & Low  
505 Main Street, Suite 304  
Hackensack, NJ 10605  
*Counsel for Debtor*

/s/Gavin N. Stewart  
Gavin N. Stewart, Esq.  
Stewart Legal Group, P.L.  
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Tampa, FL 33602  
*Counsel for Creditor*

## Certificate of Notice Page 4 of 4

United States Bankruptcy Court  
District of New JerseyIn re:  
Juana F. Henriquez-Upia  
DebtorCase No. 18-30997-RG  
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
Form ID: pdf903Page 1 of 1  
Total Noticed: 1

Date Rcvd: Jun 16, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 18, 2020.

db +Juana F. Henriquez-Upia, 1677 JFK Blvd, Unit 6, Jersey City, NJ 07305-1860

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.****Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jun 18, 2020

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 16, 2020 at the address(es) listed below:

Gavin Stewart on behalf of Creditor Toyota Motor Credit Corporation bk@stewartlegalgroup.com  
Kevin Gordon McDonald on behalf of Creditor Toyota Motor Credit Corporation  
kmcDonald@kmlawgroup.com, bkgroup@kmlawgroup.com  
Marie-Ann Greenberg magecf@magtrustee.com  
Russell L. Low on behalf of Debtor Juana F. Henriquez-Upia ecf@lowbankruptcy.com,  
ecf@lowbankruptcy.com;r57808@notify.bestcase.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov  
William M. E. Powers, III on behalf of Creditor Provident Funding Associates, L.P.  
ecf@powerskirn.com  
William M.E. Powers on behalf of Creditor Provident Funding Associates, L.P.  
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William M.E. Powers, III on behalf of Creditor Provident Funding Associates, L.P.  
ecf@powerskirn.com

TOTAL: 8